

MINUTES
CITY OF RIVERSIDE
CITY PLANNING COMMISSION
1,871st Meeting



9:00 a.m. November 18, 2004
COUNCIL CHAMBER, CITY HALL
3900 MAIN STREET

**APPROVED AS PRESENTED AT THE
JANUARY 20, 2005 MEETING**

COMMISSIONERS PRESENT: Agnew, Brown, Comer, Densmore, Kurani*, Leonard, Norton, Singletary, Stephens*

COMMISSIONERS ABSENT: None.

STAFF PRESENT: Gutierrez, Planning Director
Aaron, Principal Planner
Swiecki, Principal Planner
Hayes, Senior Planner
Miramontes, Senior Planner
Dinkel, Associate Planner
Sennewald, Assistant Planner
Laag, Assistant Planner
Walker, Assistant Planner
VanZanten, Sr. Engineer
Smith, Deputy City Attorney
Ramos, Stenographer

THE FOLLOWING BUSINESS WAS CONDUCTED:

Chair Agnew called the meeting to order at 9:00 a.m.

The Pledge of Allegiance was given to the Flag.

**Partial Attendance*

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- C-2 – Restricted Commercial Zone. **Variances requested:** 1) to allow a 40-foot high, double-face freestanding sign with a sign area of 250-square-feet and nine lines of copy along Chicago Avenue, where the Zoning Code allows a maximum 25-foot high, double-face freestanding sign with a maximum sign area of 100-square feet and three lines of copy; 2) to allow a 40-foot high, double-face freestanding sign with a sign area of 250-square-feet and nine lines of copy along University Avenue, where the Zoning Code allows a 6-foot high, double-face freestanding sign with a maximum sign area of 25-square-feet and two lines of copy. *(The applicant requests continuance to December 9, 2004 and staff concurs.)* 9
- 7a. **PLANNING CASE P04-1120 (Continued from November 4, 2004):** Proposed conditional use permit by Kassab Ama to establish a service station and mini-mart with off-site alcohol sales on approximately one vacant acre, situated on the northerly corner of Market Street and Rivera Street, in the C-2 Restricted Commercial Zone. *(This case is being heard concurrently with P04-1157 and P04-1119) (The applicant requests continuance to December 9, 2004 and staff concurs.)* 9
- 7b. **PLANNING CASE P04-1157 and P04-1119 (Continued from November 4, 2004):** Proposed conditional use permit by Kassab Ama to establish an approximately 5,000 square foot market with off-site alcohol sales, and a design review of the plot plan and building elevations for an approximately 10,000 square foot, one-story commercial building and related parking, on an approximately one vacant acre, situated on the northwesterly side of Rivera Street, between Market Street and Allstate Drive in the C-2 Restricted Commercial Zone. *(These cases to be heard concurrently with P04-1120). (The applicant requests continuance to December 9, 2004 and staff concurs.)* 9
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10. **PLANNING CASES P03-1379 & P03-1472 (Continued from October 21, 2004):** Proposed conditional use permit and design review of a plot plan and building elevations by K & S Communities, LLC, to establish a senior citizens housing project consisting of 19 one bedroom independent senior apartment units on an approximately 0.59 acre vacant parcel located at 11140 Collett Avenue, situated on the southerly side of Collett Avenue between La Sierra Avenue and Stonewall Drive in the R-1-65 - Single Family Residential Zone. 11
- 11a. **PLANNING CASES P04-0976 AND P04-0977:** Proposed plot plan review and design review by General Growth Properties for the review of a revised plot plan and building elevations for an expansion of the Galleria at Tyler Regional Shopping Mall, including, but not limited to, the establishment of a 70,000 square-foot, 2,950 seat multiple screen theater in the northeasterly quadrant of the existing shopping mall site, the addition of 19,000 square feet of retail space adjacent to and westerly of the existing Robinson's May Department Store and approximately 42,000 square feet of restaurant space dispersed throughout the regional mall site. Additionally, the conceptual plans show an expansion of an existing parking structure on the easterly portion

- of the mall site, resulting in the addition of approximately 800 on-site parking spaces. The Galleria at Tyler Regional Commercial Shopping Mall is located on approximately 64 acres of land bounded by State Highway 91, Tyler Street, Magnolia Avenue and Hughes Alley, in the C-1-A - Community Shopping Center Zone. 14
- 11b. **PLANNING CASE P04-0978:** Proposed conditional use permit by General Growth Properties to establish an approximately 70,000 square foot, 2,950 seat multiple screen movie theater within the northeasterly portion of an approximately 64 acre site developed with the Galleria at Tyler Regional Shopping Mall, bounded by State Highway 91, Tyler Street, Magnolia Avenue and Hughes Alley, in the C-1-A - Community Shopping Center Zone. 14
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- 12b. **PLANNING CASE P04-1005 (Continued from November 4, 2004):** Proposal by IW Consulting Engineers, Inc. on behalf of BP Riverside 62, LLC to amend the Municipal Code (Title 19) to rezone approximately 5.94 acres of vacant land situated on the westerly side of Polk Street between Cochran and Magnolia Avenues, from the R-1-65 - Single Family Residential Zone to the R-3 - Multiple Family Residential Zone. *(This case is being heard concurrently with Planning Cases P04-0852, P04-1006 and P04-1007).* 21
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- 14a. **PLANNING CASE P04-0984 (Continued from November 4, 2004):** Proposed Tract Map 32270 by Adkan Engineers on behalf of Hawarden Development Corp., to subdivide approximately 35.2 vacant acres into 19 lots for residential and open space purposes, situated on the northeasterly side of Via Vista Drive, southeasterly of Overlook Parkway (extended) in the RC-Residential Conservation Zone. *(This case is being heard concurrently with Planning Case P04-1144)* 29
- 14b. **PLANNING CASE P04-1144 (Continued from November 4, 2004):** Proposed planned residential development by Adkan Engineers on behalf of Hawarden Development Corporation to establish an approximately 18 lot planned residential development together with private streets and common open space on approximately 35 acres, situated on the northeasterly side of Via Vista Drive, southeasterly of Overlook Parkway (extended) in the RC-Residential Conservation Zone. *(This case is being heard concurrently with Planning Case P04-0984)* 29

15. **PLANNING CASE P04-1213 and P04-1068:** Proposed Parcel Map 33061 by Development Resource Consultants on behalf of KOAR I. A. LLC., to subdivide approximately 5 acres containing 4 parcels into 5 parcels for condominium purposes and design review of the plot plan and building elevations to develop the site with 5 office /industrial buildings, situated on the easterly side of Rivercrest Drive, northerly of Fisher Road in the MP- Manufacturing Park Zone. *(The applicant requests continuance to December 9, 2004 and staff concurs.)* 30
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18. **PLANNING CASE P04 -1348:** Proposed Conditional Use Permit by the City of Riverside Library Department to establish a library facility, including a cybrary, within an approximately 10, 600-square-foot lease space at an existing commercial center located at 4033 Chicago Avenue, Suite C, in the C-2-SP – Restricted Commercial Specific Plan (University Avenue) Combining Zone. 34
- 19a. **PLANNING CASE P04-0853 (Continued from October 21, 2004):** Proposal by Riverside Housing Development Corporation to amend the Municipal Code (Title 19) by rezoning four parcels developed with an abandoned retail building and detached accessory building totaling approximately 1 acre and at 7788 - 7840 Cypress Avenue, situated on the southerly side of Cypress Avenue between Warren and Montgomery Streets, from the C-2 - Restricted Commercial Zone to the R-3 - Multiple Family Residential Zone. *(To be heard in conjunction with Planning Cases P04-0664 and P04-0655)* 35
- 19b. **PLANNING CASES P04-0664 AND P04-0655 (Continued from October 21, 2004):** Proposed Conditional Use Permit and Design Review by Riverside Housing Development Corporation to establish a 106-unit, low and low-moderate income apartment complex with 160 parking spaces, a child care facility, a blind support services facility, and common open space on approximately 3.87 acres developed with an abandoned retail building and detached accessory building, located at 7788 -7840 Cypress Avenue, situated on the southerly side of Cypress Avenue between Warren and Montgomery Streets and intersecting Janet Avenue, in the R-3 - Multiple Family Residential and C-2 - Restricted Commercial Zones. *(To be heard in conjunction with Planning Case P04-0853).* 35
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PLANNING/ZONING MATTERS FROM THE AUDIENCE

There were none.

CONSENT CALENDAR

1. **PLANNING CASES P03-0625 and P04-1194:** Design review (site plan, building elevations, landscape and irrigation plans) for a proposed planned residential development totaling 44 residential units together with parking, and private and common open space on approximately 5.2 acres, situated on the southwesterly corner of Main Street and Columbia Avenue, in the R-1-65 Single Family Residential Zone.
2. **PLANNING CASE P04-1209:** Proposal of Sheffield Homes, for a one-year time extension in which to record tentative Tract Map 29222, a proposal to subdivide approximately forty-acres into 136 residential lots and six street lots, situated at the northwest corner of Dauchy Avenue and Krameria Avenue in the R-1-100-SP - Single Family Residential and Specific Plan (Orangecrest) Combining Zones.
3. **PLANNING CASE P04-1228:** Proposal of Sheffield Homes, for a one-year time extension in which to record tentative Tract Map 29596, a proposal to subdivide approximately forty-acres into 116 residential lots and seven street lots, situated at the northeast corner of Roosevelt Street and Krameria Avenue in the R-1-100-SP — Single Family Residential and Specific Plan (Orangecrest) Combining Zones.

MOTION MADE by Commissioner Kurani, **SECONDED** by Commissioner Densmore, **TO APPROVE** the above cases, subject to the staff recommendations and conditions of staff.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Densmore, Kurani, Leonard, Norton, Singletary

NOES: None.

DISQUALIFIED: Comer

ABSTAINED: None.

ABSENT: Stephens

DISCUSSION CALENDAR

There were no items.

PUBLIC HEARINGS

4. **PLANNING CASES P04-0936 and P04-0937 (Continued from October 21, 2004)**: Proposed conditional use permit by Gerald Bushore on behalf of Calvary Deaf Church to construct an approximately 19,310 square foot religious institution and the concurrent design review of the plot plan and building elevations for the development thereof on approximately 1.9 acres of vacant land at 8223 California Ave, situated on the northeasterly corner of California Avenue and Adams Street, in the R-1-65 - Single Family Residential Zone. *(The applicant requests continuance off-calendar and staff concurs.)*

MOTION MADE by Commissioner Leonard, **SECONDED** by Commissioner Norton, **TO CONTINUE** the above case off calendar.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Kurani, Leonard, Norton, Singletary

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Stephens

- 5a. **PLANNING CASE P04-0803 (Continued from October 21, 2004):** Proposed Tract Map 32476 by CSL Engineering on behalf of the Merickel Companies to subdivide approximately 23 acres of vacant land into 34 lots for the future development of single family residences, situated on the southerly side of the future extension of Norwood Avenue, westerly of College Avenue, in the RC - Residential Conservation and R-1-65-Single Family Residential Zones. *(This case is being concurrently heard with Planning Case P04-0967.) (The applicant requests continuance to December 9, 2004 and staff concurs.)*
- 5b. **PLANNING CASE P04-0967 (Continued from October 21, 2004):** Proposed general plan amendment by CSL Engineering on behalf of the Merickel Companies to amend the General Plan land use designation for approximately 8.8 acres of vacant land situated on the southerly side of the future extension of Norwood Avenue, westerly of College Avenue from RHS - Hillside Residential to RLD - Low Density Residential. *(This case is being heard concurrently with Planning Case P04-0803) (The applicant requests continuance to December 9, 2004 and staff concurs.)*
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- 7a. **PLANNING CASE P04-1120 (Continued from November 4, 2004):** Proposed conditional use permit by Kassab Ama to establish a service station and mini-mart with off-site alcohol sales on approximately one vacant acre, situated on the northerly corner of Market Street and Rivera Street, in the C-2 Restricted Commercial Zone. *(This case is being heard concurrently with P04-1157 and P04-1119) (The applicant requests continuance to December 9, 2004 and staff concurs.)*
- 7b. **PLANNING CASE P04-1157 and P04-1119 (Continued from November 4, 2004):** Proposed conditional use permit by Kassab Ama to establish an approximately 5,000 square foot market with off-site alcohol sales, and a design review of the plot plan and building elevations for an approximately 10,000 square foot, one-story commercial building and related parking, on an approximately one vacant acre, situated on the northwesterly side of Rivera Street, between Market Street and Allstate Drive in the C-2 Restricted Commercial Zone. *(These cases to be heard concurrently with P04-1120). (The applicant requests continuance to December 9, 2004 and staff concurs.)*
8. **PLANNING CASE P04-1243:** Proposed modification of conditions for Tract Map 31214 (P03-0082) by Charles Avila to increase the approved maximum building height elevation from 1759 to 1771 on approximately 1.46 vacant acres proposed to be subdivided into 7 lots for residential purposes located on the northeast corner of Orange Terrace Parkway and Hillsdale Road in the R-1-65-Single Family Residential Zone. *(The applicant requests continuance to December 9, 2004 and staff concurs.)*
9. **PLANNING CASES P04-0846 and P04-1160:** Proposed rezoning by Michael Napolitano, on behalf of Carl Underwood, to amend the Municipal Code (Title 19) to rezone 2 vacant parcels totaling approximately 0.59 acres from the R-1-65 - Single Family Residential Zone to the C-O- Commercial Office Zone, and the

design review of a plot plan and building elevations for the establishment of a two-story, 14,837 square-foot office building located at 5286 Sierra Street and 6812 Streeter Avenue, situated on the southeasterly corner of Sierra Street and Streeter Avenue. (*The applicant requests continuance to January 6, 2005 and staff concurs.*)

MOTION MADE by Commissioner Norton, **SECONDED** by Commissioner Kurani, **TO CONTINUE** the above cases to the meeting of December 9, 2004.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Kurani, Leonard, Norton, Singletary

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Stephens

10. **PLANNING CASES P03-1379 & P03-1472 (Continued from October 21, 2004):** Proposed conditional use permit and design review of a plot plan and building elevations by K & S Communities, LLC, to establish a senior citizens housing project consisting of 19 one bedroom independent senior apartment units on an approximately 0.59 acre vacant parcel located at 11140 Collett Avenue, situated on the southerly side of Collett Avenue between La Sierra Avenue and Stonewall Drive in the R-1-65 - Single Family Residential Zone.

Yvette Sennewald, Assistant Planner, presented the staff report.

Commissioner Densmore asked staff to define “senior”.

Ms. Sennewald stated the apartment complex would have to create a covenant agreement that would establish the age at 55 years and older.

Commissioner Densmore explained that he gets the feeling some allowances are given to senior housing applications due to the open space requirements. He asked staff if they look at what would commonly be referred to as a “senior housing development” and create leeways in their own minds because it is for seniors; leeways in terms of open space requirements that would not normally be considered if for younger families.

John Swiecki, Principal Planner, stated the short answer is yes. He explained that in comparing senior housing with standard apartments and the requirement for open space, senior housing does not have a quantified requirement for common or private open space. As such there would not be the need for a variance or variance findings. Staff does not believe the amount of play area, grass, or active play turf area for a family project would be appropriate for a senior project. Staff looks at the amount, functionality and distribution of the open space and how it is amenitized.

Commissioner Densmore commented that he would be claustrophobic in some of the projects people are describing as senior housing. He stated that if the rationale for granting some variances is that seniors are going to be living there, he would look a little more specifically at the open space issues. Some of the facilities he has visited have gardens or places where people can have privacy and take walks in order to get away from others.

Commissioner Norton agreed. She believes we are making a mistake in concept if the perception is that seniors are not active. She explained that the concept is that more open space is desired, along with more amenities. Seniors are well into their health, having work-out rooms and lap pools, walking, and swimming. She stated that as a city she would like to see a look at senior housing, which is popping up everywhere, with a different perspective.

Commissioner Kurani expressed his concern that rezoned properties lacking in open space should be more strictly regulated in terms of density.

Mr. Swiecki noted that the Commission is not rezoning this property. Senior housing is considered a conditionally permitted use in the R-1-Zone. He agreed with the Commission’s concerns and suggested that in the upcoming Zoning Code update the Commission might want to look at that whole concept. If the Commission is uncomfortable with the idea that active seniors are a good fit in the R-1 zones or that the standards need to be different, that would be a good opportunity to reexamine this issue.

Craig Sells, representing K&S Communities, stated that they have proposed this project with the intent to retain it. He stated they are looking at projects that are coming up in the City and the need for senior housing in this area. Most of the projects coming aboard are very large with the ability for space for pools and a lot of walking areas. They also realize there is a need for an economic base where they can put a project such as this on a smaller parcel of infill land that will provide maybe not some of the full amenities as mentioned by Commissioner Norton, but

some amenities, with, most importantly, an affordable rental fee. He noted that he concurs with the conditions of approval.

Commissioner Densmore expressed his concern that if the developer is shooting for a particular economic strata, he does not understand why it should be directed at seniors. He stated that he would like senior housing have the requirement for amenities to accommodate "California" seniors. He asked what should convince him to allow a smaller open space area than would normally be required simply because we are calling this a senior apartment.

Mr. Sells explained that not every senior in our community has the ability to run and play; there are a lot of seniors who are less mobile and do not have the ability to get out, but that are looking for a smaller, less affordable living space. He stated they are trying to fit in as what they have understood the guidelines to be on a parcel they feel is in a pretty good area for this. The adjacent residents have expressed their support for this project and staff has provided their changes. He commented that they have tried to provide more amenities into the open space area.

Commissioner Norton stated that if she chose to live at this facility for no other reason than financial, she would still feel a little compromised for not having a few more amenities. She asked the applicant to consider this and to try to do something.

The applicant commented that Commissioner Norton's point is well-taken.

Chariman Agnew commented that this case also involves a design review of the site plan and building. He noted that he has a problem with the fact that one-third of the site is parking thus there is no room for open space. He asked if staff feels comfortable that the conditions of approval adequately provide improvements to the architecture.

Mr. Swiecki stated there are constraints with the configuration of this parcel, that restrict opportunities to locate buildings and parking. He commented that staff did look at a number of different designs.

Scott Hooks, 1152 Tigertail Drive, stated he is one of the Principals of this project. He stated that the size of the units are not small; in comparison to other complexes, they are the same and even larger in some instances. He stated that when you add amenities to a project you need to increase the price of the unit. In this complex, they have designed to keep their prices in the \$750-800 range. In the newer complexes, rent is up to \$1,000 a month or more. In doing their research with the Janet Goeske Center representatives, they are finding that people are getting moved out of these other complexes as the rents have gone up. They have an influx of people that cannot afford all these complexes that have many wonderful amenities--amenities that are available due to the size of the complex.

The public hearing was officially closed.

MOTION MADE by Commissioner Comer, **SECONDED** by Commissioner Brown, **TO APPROVE** P03-1379 and P03-1472, subject to the recommendations and conditions of staff, **WITH THE ADDITION** of an advisory that staff and the applicant work together to include some other things that may allow for some additional exterior activity. Commissioner Comer also asked that the rear buildings be moved even closer to the wash since no one would be affected. He feels this may create some additional open space; however, if it is too much work and effort, it should just be left the way it is.

Commissioner Comer also commented that economics cannot be judged as the foundation for the reason why decisions are being made regarding a project. In his opinion, this project makes sense because it sets between a church and a child care facility; it would not make sense to put a single family residential project between these almost-commercial uses. This residential project of a little bit more density with seniors due to its proximity to bus

routes and access makes sense for this location. He encouraged the Commission to not use economic justifications as to why or why not a case is approved in the future.

Commissioner Leonard commented that he believes the Commission should take staff's recommendation that this be acknowledged when the Zoning Code update is discussed. He feels a number of good points have been raised today about the amenities and maybe even what the proper age is in terms of a senior citizen. He stated that the applicant has followed the rules and has done a very good job in working with a design to accomplish this.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Kurani, Leonard, Norton, Singletary

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Stephens

Chairman Agnew advised of the appeal procedure.

- 11a. **PLANNING CASES P04-0976 AND P04-0977:** Proposed plot plan review and design review by General Growth Properties for the review of a revised plot plan and building elevations for an expansion of the Galleria at Tyler Regional Shopping Mall, including, but not limited to, the establishment of a 70,000 square-foot, 2,950 seat multiple screen theater in the northeasterly quadrant of the existing shopping mall site, the addition of 19,000 square feet of retail space adjacent to and westerly of the existing Robinson's May Department Store and approximately 42,000 square feet of restaurant space dispersed throughout the regional mall site. Additionally, the conceptual plans show an expansion of an existing parking structure on the easterly portion of the mall site, resulting in the addition of approximately 800 on-site parking spaces. The Galleria at Tyler Regional Commercial Shopping Mall is located on approximately 64 acres of land bounded by State Highway 91, Tyler Street, Magnolia Avenue and Hughes Alley, in the C-1-A - Community Shopping Center Zone.
- 11b. **PLANNING CASE P04-0978:** Proposed conditional use permit by General Growth Properties to establish an approximately 70,000 square foot, 2,950 seat multiple screen movie theater within the northeasterly portion of an approximately 64 acre site developed with the Galleria at Tyler Regional Shopping Mall, bounded by State Highway 91, Tyler Street, Magnolia Avenue and Hughes Alley, in the C-1-A - Community Shopping Center Zone.

Steve Hayes, Senior Planner, presented the staff report.

Chariman Agnew noted that the Commission received a letter in support from Dan Patterson, a property owner in the immediate vicinity.

Commissioner Densmore referred to a list of theaters in Riverside that have or are close to going under. He expressed his concern, from a land use perspective, that a brand new theater in the City does not make sense. He also expressed concern regarding the parking problem that currently exists around the Galleria, especially during the holidays. He commented that he certainly does not oppose expansion of the mall, but the usages of the mall also include people that go the mall just to cruise or hang out. For these reasons, he is having a great deal of difficulty with a variance for parking.

John Swiecki, Principal Planner, stated in terms of a conditional use permit for the theater, staff views this as a regional entertainment complex as opposed to a stand-alone theater and in that context, staff can support the land use. In terms of parking, he stated that an exhaustive parking study was done for this project based on empirical evidence. He stated the question in regard to parking is do you try to park a facility for the busiest shopping day of the year. If you do that can have negative land use implication for the remaining 300 days or so of the year. In regard to seasonal parking the applicant indicates that they have arrangements for off site parking.

Commissioner Kurani asked if the theater is connected to the parking structure for pedestrian traffic.

Mr. Hayes stated yes.

Commissioner Brown stated that he assumes staff has done an extensive study with regard to traffic flow and the effect of this addition.

Mr. Hayes stated that in conjunction with the EIR Addendum there was a new traffic study prepared. The City traffic engineer looked at the traffic study and indicated that there was no new impacts being created by this addition that already were not considered under the 1989 Master Plan. A majority of the mitigation measures under the 1989 Master Plan have already been implemented. He noted that only Phase 1 of the approved 1989 project was ever

built and that essentially amounted to the Nordstrom store, the parking deck adjacent to Nordstrom, as well as the Hughes Alley parking structure.

Commissioner Brown expressed his concern that the architecture is lacking waterscape features.

Commissioner Leonard referred to Page 2-4, Table 2-2 of the Addendum Environmental Report and asked for confirmation that while there is an expansion of the mall the degree of expansion is not as much as was expected under the original EIR.

Mr. Hayes stated that is correct.

Commissioner Leonard stated if it is not as much configured under the original EIR, why would there still be a parking deficiency under seasonal conditions. He asked if there was mitigation assigned to that or was it just ignored under the original EIR.

Mr. Hayes stated under the 1989 project, there was a greater number of parking spaces proposed. As a result of that, the parking ratio is actually less (5 spaces per 1000 in the 1989 plan and 4.8 spaces in the current plan) which is a deficit of about 272 spaces.

Commissioner Leonard asked for confirmation that that is based on industry studies the applicant has provided of other malls.

Mr. Hayes stated that is correct.

Commissioner Leonard stated he noticed there were a number of intersections that were studied as part of this expansion. He asked if that was actually a modeling program, a comparison of apples and apples from the original study, or if they were just configured independently.

Mr. Swiecki stated staff will defer that question to Public Works or to the EIR addendum traffic consultant.

Commissioner Leonard referred to Condition 17 of the second set of conditions, noting that this condition calls for a verification of a signed lease, which he feels needs to be beefed up a bit to require a management plan to understand the hours the parking is going to be done, the routes the shuttle will be taking and making sure there is indeed a shuttle service in order to avoid an overflow in traffic in the shuttle goes out. He feels the City needs to know how that is going to operate rather than just requiring a verification of a lease. He recommends this be considered for Condition 17. In regard to water supply, the only factor considered was the expansion alone, not the whole mall. He wonders if staff believes this follows the intent of the law to just evaluate the amendment area only.

Mr. Swiecki stated yes; however, the EIR consultant is present to speak to that in more detail if needed.

Karen Butler of General Growth Properties stated that her firm is based in Chicago and is the second largest shopping mall owner in the United States; they operate in 44 states and are a publically traded company on the New York Stock Exchange. She stated that just last Friday they acquired the Rouse Company, which added 39 malls to their portfolio. They now have more than 220 retail properties in the United States. She noted that they acquired the Tyler Mall two years ago and are very strong managers of their properties and always have plans for enhancement. She proceeded with a PowerPoint presentation. She noted, in regard to waterscape features and fountains, that they are not yet at that level of design, but do plan to bring that feeling into the site. They have a landscape architect on board and they are just starting to develop those elements.

James Paresi of MBH Architects, Newport Beach, stated that his firm has been retained by General Growth Properties to facilitate in the design conceptualization of the expansion at Tyler. He indicated that, in terms of the architecture, they are breaking up the mass and creating an exterior streetscape of sort of a neo-traditional character of the architecture. They established this early on as part of the look they wanted to create for the next evolution of the development at Tyler. He further elaborated on details of the architecture, restaurants and theater by way of PowerPoint presentation. He explained that Tyler has been in the community for over 30 years and it is the dominant regional shopping experience in the area, by far. He stated that to maintain that position this is a very state of the art design and very much in keeping with the present trends of today.

Mark Ostoich, 550 E. Hospitality Lane, San Bernardino, stated that they have reviewed the staff report and conditions and have three minor clarifications. He referred to Page 7, which relates to the entry way that was noted that passes through the parking structure beneath the cinema. He referred to the statement, "Staff believes that it would be appropriate to close the proposed vehicular connection underneath the theater, specifically the portion between buildings 2 and 3 to enhance the pedestrian experience within the new entertainment center." He commented that they are in agreement with that statement, but they would like a clarification that the ultimate design of that and how it works would be deferred to staff so that they can work with staff to sharpen that up as the level of design increases on the project. He referred to Page 12 of the staff report and the statement, "Staff is recommending that a new master sign program be prepared for review and approval by the Planning Commission along with any necessary variances to implement the sign program prior to the issuance of building permits." He explained that they are in agreement with that are, in fact, working on a new sign program, but they would like to ask that the Commission defer that to certificate of occupancy rather than building permit. Lastly, he referred to the Variance Findings, Page 20, which relates to an area along Hughes Alley at the northwest corner of the facility. He explained that they are requesting in this area a variance from the applicable parking setback in order to maximize their parking in that area. Staff notes that the site plan could be revised by narrowing the two-way drive along Hughes Alley to 24 feet and concurrently increasing the landscape setback to approximately 13 feet with a relatively minor loss of approximately three parking spaces. In doing so, a landscaped swath of well over 15 feet including landscaping within the parkway area behind the sidewalk would be provided. He stated this is a design issue for them and they are requesting a slight reduction in the landscaped setback in order to maximize their parking in that area. He asked the Commission's consideration in deferring the actual implementation of that to staff so that they can work through how that is actually implemented with staff with the benefit of more detail design than they now have. He noted that staff has done an excellent job in working with them on this project.

Commissioner Densmore asked if studies indicate that the Tyler Mall can operate at a greater capacity and not necessarily be drawing people away from what Riverside has heavily invested in over at the Riverside Plaza.

Ms. Butler stated absolutely. She noted they will have a different character and uses and are also far enough away from each other not to compete directly. She also noted that both have different ring demographics and the Plaza is supported by housing.

Commissioner Densmore commented that he hopes Ms. Butler is correct because the City has invested a great deal of resources in assuring that that happens. In terms of parking, Page 2.5 of the Addendum notes there is an inch devoted to parking and that there is a net increase of 519 stalls. He disagrees with staff that there is only a "seasonal" parking problem around the mall. He stated it is a difficult place to park on a daily basis, but absolutely impossible around the holidays. He asked what are the mitigation the Commission is supposed to buy off on that would allow for a parking deficiency based on the planned land uses we are considering today.

Ms. Butler stated they are adding a level of parking deck and expanding that deck both upwards and outwards to bring more parking to the site and are also reconfiguring most of the parking lots around the mall to be more efficient. They are also making traffic improvements to the site that are extensive. There will be a really strong and

wonderfully designed wayfinding signage program that will be good for everyone involved. She stated they are also bringing forward a program to take employees off site at holiday time, which, in accordance with a study that was done, is an enhancement to the traffic support that is there between three and seven hundred spaces at Castle Park.

Bob Madsen of RBF Consulting stated that they have prepared the environmental document and the traffic study. The parking study was submitted by the applicant and they have reviewed that. He stated that, essentially, the City has a parking code of five spaces per 1000 square feet. The shared parking analysis showed that the uses, some peak during the day and some peak during the night. He explained that the shared parking analysis said that only approximately 4.5 or 4.6 spaces are needed to park based on the uses proposed. He stated that the applicant is proposing to make some significant changes in terms of circulation on site and the way that you access the site. He thinks part of what the frustration is that people experience when they go there to park at the mall is related to circulation. He feels there is a more efficient way to circulate and they are now providing more ways in and off of Tyler itself. He stated the new parking structure off Hughes will have a direct ramp up to the new level, so each level of the parking structure will be able to load directly onto Hughes. Because of this he believes people will be able to get in and out of the mall much quicker and that in of itself is going to reduce congestion circulating throughout the mall. The applicant also pointed out that they are trying to shift emphasis to the outer ring road right now. They are bringing a parallel road to bring you out towards the freeway so you do not need to go up there and congest around TGIF's.

Commissioner Densmore asked if the parking analysis takes into consideration those folks who come to the mall for social purposes.

Mr. Madsen stated yes.

Commissioner Densmore referred to the EIR Addendum and asked Mr. Madsen to explain what LOS D means and why that is a consideration the Commission should be looking at.

Mr. Madsen stated the City of Riverside, as implied, targets Level of Service D or better, which is typical of most urban areas in California. He stated if you think of a street or intersection providing 100% capacity, Level of Service D uses up to 80%; that means there is about 20% of available capacity. Level of Service E would be 90% and Level of Service F is failure and means approaching gridlock.

Commissioner Densmore confirmed that LOSD equates to a time he can expect to move through an intersection in one cycle. He referred to the height of the theater and asked why that variance is required.

Greg Siminoff with NBH Architects, Newport Beach, explained that as you get into the stadium seating configuration and the regulations for ADA, which require that handicapped people have access to the center portion of a stadium-seating auditorium, it sets a certain height from their platform up to the top of their stadium. From that point, there is a projection level, which needs to have a projection fort above a height where someone is going to be able to put their hand up and block it. It is also necessary in order to get the sound quality and for everything to work. To get quality digital sound the speakers need to be mounted a certain distance above the seating. He stated they also have mechanical units and duct work requirements that need to come in and those are usually handled over the project level because it avoids vibration over the auditorium.

Commissioner Densmore asked if the basis for the requirement is the fact that they have chosen stadium seating.

Mr. Siminoff stated yes.

Ms. Butler noted that the theater does rest on additional parking, which is another reason for the height variance.

Commissioner Kurani expressed his concern that he would like to see a little bit more detail than what the Commission has been given regarding the design.

Mr. Swiecki stated certainly the idea of the landscaping and the hardscape program is something staff reviews in detail; however, if the Commission desires to see that level of detail, it is within their prerogative.

Commissioner Kurani believes that if this is going to be an upscale addition it should contain as much style and taste as possible.

Commissioner Norton inquired as to how many of the parking spaces will be used by employees when this project is finished.

Jerry Irwin of General Growth Properties and Manager of the Tyler Mall stated anywhere in the neighborhood, on an average day, of 500 to 600 employees.

Commissioner Norton asked where these employees park now.

Mr. Irwin stated that most of the employees park on top of the parking deck; they have also designated the last row around the ring road of the property for employees.

Commissioner Norton asked if she heard there was a park and ride designated area, and, if so, is it going to remain.

Mr. Irwin stated yes.

Commissioner Norton asked Mr. Irwin if the 500 to 600 spaces represents the current condition or what is proposed with the additions.

Mr. Irwin stated that right now it is more in the neighborhood of 500 spaces; with the addition it will be closer to 700 spaces.

Commissioner Norton referred to the elevations and expressed her concern that the wall that faces Hughes could really use something artistic such as a mural.

Ms. Butler stated that they would like to work with staff on articulation of the east elevation of the building, which will be screened. There are presently wonderful pine trees and palms all around the site. They are going to continue to enhance the landscape program. She commented that she believes art should be where people can see it and this wall is not in the best visible spot.

Commissioner Brown expressed his concern that the quality of tenants, the architecture, and the landscaping should be comparable to other malls such as Fashion Island and South Coast Plaza in order to keep the Riverside shoppers in Riverside.

Ms. Butler agreed and noted that they do wish to install water features, along with attractive lighting; however, they are not yet at that level of design.

Commissioner Brown commented that he would like to ensure that these things happen.

Commissioner Leonard referred to the theater and asked if there would be an elevator from the ground floor.

Ms. Butler indicated there will be two sets of escalators and elevators, providing excellent circulation.

Commissioner Leonard referred to Condition 6 and stated that he believes this need to come back to the Commission under the Consent Calendar.

Mary Humboldt, 7407 Dufferin Avenue, suggested that the waterscape use recycled water. She stated that other cities are doing this and there is an opportunity to create beautiful things at very little cost. She also suggested that zero water landscaping be installed as the City has wonderful resources such as the UC Botanic Garden and the Santa Ana Regional Water Garden. She explained that by putting drought tolerance plants into the whole new mix, you would create an environment for the public to see what low water landscaping can be and it would reduce the cost. She also believes that parking structures are dangerous and that, since women make up most of the shoppers, proper lighting and security should be enforced.

Esther Ann Velez-Andrews stated that she has lived in Riverside for over 40 years. She expressed her amazement that with the City history of failed theaters, another giant theater is being proposed. She believes this project will negatively affect the Riverside Plaza project and she believes the City already has a commitment to the Plaza. She also expressed concern regarding the current parking problem.

Dave Cualo, 3602 Artesian, Riverside, stated he lives adjacent to Hughes Alley. He stated that he loves the mall; however, he feels there is a significant parking problem. He commented that he does not believe an employee who is late for work is going to go park off-site and ride a tram to the mall. He agrees that the mall needs to be modernized, but feels that the traffic situation is unbelievable.

Alma Flores, 3493 Artesian Street, stated she supports the mall, especially modification of; however, she believes there is already enough congestion and traffic. She stated she lives in a cul-de-sac and cannot even get into her own home during Christmas time due to unruly people. She believes the residents are going to be the most affected by this. She commented that she also does not feel a theater is necessary.

Commissioner Norton noted that RCC had the problem of overflow onto private streets. She asked if it is possible to incorporate a parking program for those streets where it would be posted to protect and preserve the neighborhood.

Rob Van Zanten, Senior Engineer with the Public Works Department, stated there are programs through the Parking, Traffic and Streets Committee such as residential permit parking.

Commissioner Norton asked if it is possible this project will draw from the Corona area.

Mr. Irwin stated yes, he believes it will draw from the Corona area. He stated that there has been a real shake-out in the theater industry over the last five or six years. Due to higher technology, stadium seating, and sound improvements the stronger, state-of-the-art theaters have survived. He stated that they are planning on putting in a Top-100 theater with all the bells and whistles. AMC is the top operator in the United States and he does not believe they would be investing the type of money they are into something they did not feel would survive. He noted that the Riverside Plaza is also putting in a state-of-the-art theater. In regard to security, he stated they are well aware of the issues and would like to report their crime statistics have decreased 30-40% over the last two years. He referred to the parking issue, noting that he loves the idea of putting up signs in the neighborhood. He stated that he does not think the number of stalls is the issue as you can go out to the mall any day of the week and find a parking stall. The issue is the traffic flow and the amount of entrances and exits into the property, which he believes is being addressed in the new plan. He feels there are some intersections in their property that could certainly see some improvement.

The public hearing was officially closed.

MOTION MADE by Commissioner Comer, **SECONDED** by Commissioner Kurani, **TO APPROVE** P04-0976, P04-0977, and P04-0978, subject to the recommendations and conditions of staff, **WITH MODIFICATION** to incorporate the changes noted by Mr. Ostoich, to add to Condition 18 that water features be added to the plaza and paseo areas and to the new building at the corner of Tyler and the 91 Freeway, and that an advisory be added to the Public Works conditions that the mall people consider moving forward with a permit parking program for residences. The motion also includes recommendation for approval of the Addendum to the Final EIR.

Commissioner Densmore explained that he will not be supporting the motion, out of principle. Although he would like to see the mall upgraded, he believes we are “eating our own flesh” by putting in another theater and that based on traffic and growth patterns there will be a problem in five to ten years.

Commissioner Leonard asked that the motion maker add that the plot plan, building elevations, and master sign plan come back to the Planning Commission instead of staff. He asked that Condition 17 call for a Parking Management Plan submitted with the level of detail discussed.

The motion maker and second agreed to add those modifications to the motion.

MOTION PASSED by a vote of 7 ayes to 1 no and 0 abstentions.

AYES: Agnew, Brown, Comer, Kurani, Leonard, Norton, Singletary

NOES: Densmore

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Stephens

Chairman Agnew advised of the appeal procedures.

- 12a. **PLANNING CASE P04-0852 (Continued from November 4, 2004):** Proposed Tract Map 32533 by IW Consulting Engineers, Inc. on behalf of BP Riverside 62, LLC to subdivide approximately 5.94 acres of vacant land for condominium purposes to facilitate the development of a 99-unit residential condominium project, *situated on the westerly side of Polk Street between Cochran and Magnolia Avenues in the R-1-65 - Single Family Residential Zone. (This case is being heard concurrently with Planning Cases P04-1005, P04-1006 and P04-1007).*
- 12b. **PLANNING CASE P04-1005 (Continued from November 4, 2004):** Proposal by IW Consulting Engineers, Inc. on behalf of BP Riverside 62, LLC to amend the Municipal Code (Title 19) to rezone approximately 5.94 acres of vacant land situated on the westerly side of Polk Street between Cochran and Magnolia Avenues, from the R-1-65 - Single Family Residential Zone to the R-3 - Multiple Family Residential Zone. *(This case is being heard concurrently with Planning Cases P04-0852, P04-1006 and P04-1007).*
- 12c. **PLANNING CASES P04-1006 & P04-1007 (Continued from November 4, 2004):** Proposed planned residential development and the design review of a plot plan and building elevations by IW Consulting Engineers, Inc. on behalf of BP Riverside 62, LLC to establish a 99 unit planned residential development with 33 two bedroom units and 66 three bedroom units together with parking, private and amenitized common open space areas on approximately 5.94 acres of vacant land situated on the westerly side of Polk Street between Cochran and Magnolia Avenues, in the R-1-65 - Single Family Residential Zone. *(These cases are being heard concurrently with Planning Cases P04-0852 and P04-1005).*

Commissioner Kurani noted that he lives close to this area, but does not have a conflict of interest.

Yvette Sennewald, Assistant Planner, presented the staff report. She noted that she received some written responses in opposition to this case, along with some phone calls in support.

Commissioner Kurani inquired as to what happened at the community meeting.

Ms. Sennewald stated that last Tuesday there was a meeting held here at City Hall; some of the neighbors were in attendance as well as Councilwoman Hart, the developer, and Planning staff. She stated that the developer brought his project forward to discuss the concerns of the neighbors. There was a question-and-answer period and some of those neighbors are again here today.

Commissioner Comer asked for clarification that with the reduction of the two buildings behind the pool area, this project still does not meet the open space requirements.

John Swiecki, Principal Planner, stated that staff made a formal calculation in that regard. It would certainly bring the project much closer to compliance because more is being provided and the demand is being reduced.

Commissioner Norton asked if staff is recommending the deletion of Elevation No. 2.

Ms. Sennewald stated yes.

Steve Berzansky of Steven Walker Communities presented his project.

Commissioner Leonard referred to the architecture of the third story element and asked where it would generally orient towards.

Mr. Berzansky indicated that this is in the Plan 1, which stacks and has a very limited first-floor element. Most of the unit for Plan 1 is on the second floor; it is a two-bedroom, two-bath, with a large-style loft utilized for home-based offices or home theater rooms.

Steve Peck, the architect and designer of the project, indicated that the three-story component is the stairwell. He explained that the viewport for the loft is not immediately adjacent and would not provide any affect on privacy if there was an adjacent occupancy.

Commissioner Leonard asked if this feature is the extent of what defines this project as including three-story elements.

Mr. Peck stated yes; that is the only three-story component of the project.

Commissioner Leonard commented that he is interested how this is oriented on the site.

Mr. Peck explained that since those are typically at a Plan 1, that three-story component would be along that front face.

Commissioner Leonard asked if the rear setback is enlarged, where does that extra area come from?

Mr. Berzansky credited Mr. Hayes for the suggestion of reducing each of the driveway aprons by two feet.

Commissioner Kurani expressed his desire for more open space.

Mr. Berzansky distributed another conceptual exhibit and indicated that there would be a community center that would integrate with the open space. He stated that they would not like to lose all residences on that open space.

Commissioner Kurani expressed his concern that for 99 units or less, there will be a lot of children, but not enough space. He inquired as to how the traffic will be dealt with in terms of turn lanes.

Mr. Berzansky stated he would like Rob Van Zanten of the Public Works Department and Andrew Walker, their civil engineer, to address the traffic issues. He stated that he would like to talk about density or make up of the residents in this community over this project. He explained that they do not anticipate having a lot of traditional families with a lot of children.

Rob Van Zanten, Senior Engineer with the Public Works Department, stated that he understands there are concerns with traffic along Polk Street. He noted that Polk Street is an 88-foot arterial street and is one of those situations not totally dissimilar from Jurupa Avenue or even Hole Avenue where there are front-on homes and a lot of turning movements, which compounds the issue. He pointed out that this development is going to be required to widen Polk in this area approximately 18 feet, so they will realize the full capacity of Polk. Based on its geometrics, on street parking would have to be prohibited to accommodate the center turn lane. He stated that any modification with regard to on-street parking and delineation would have to move forward to the Parking Traffic and Streets Committee for review. He commented that he does not know the timing in regard to when it would be evaluated.

Mr. Berzansky stated they would prefer not to have a condition that would preclude them from going forward with their map as it relates to a larger or grander study through the PTS Committee. They would be in favor of working with PTS and coming up with a traffic pattern that meets the needs of the local neighborhood and community. They do not have any issues or problems with that, they just do not want to tie their entire development to another PTS review; it is an arterial street that is acting like a collector and should function adequately.

Commissioner Kurani commented that he is speaking on behalf of the Polk Street residents.

Mr. Berzansky distributed data from the 2000 census, which lists the family size, children and the percentage of families in the area, along with homeowners. Mr. Berzansky noted that he agrees with all of the conditions of approval.

Thomas Kinney, resident of Riverside, stated that he welcomes the developers to come to this area and put in R-1 Zone housing. He inquired as to why it was denied before. He expressed his concern that this project is injecting high density where there is no high density housing adjacent to it. He stated that there also is no real open space and cannot imagine where the children will be able to go out and play. He believes the developer is squeezing every space out of the acreage simply for profit.

Commissioner Comer asked if staff looked at rotating the buildings where they would face each other. He explained his concern is that there will be a wall of buildings that look into people's backyards, along with patios on the second floor.

Mr. Swiecki stated that would create additional curb cuts on Polk which would be problematic. It also raises questions as how to tie the project together .

Commissioner Comer asked if the minimum open space requirements are met with the deletion of the two buildings.

Mr. Swiecki stated yes.

The public hearing was officially closed.

Commissioner Comer suggested that some outdoor recreational amenities be added to the project.

Commissioner Kurani suggested that the two buildings be eliminated and that traffic be required to be evaluated before the project goes in.

Kristi Smith, Deputy City Attorney, stated that the Commission needs to focus on the impacts the project will have on the traffic and not just the overall traffic that may be an issue in the City of Riverside. The Commission needs to focus on what implications this project will have on the traffic.

MOTION MADE by Commissioner Leonard, **SECONDED** by Commissioner Singletary, **TO APPROVE** P04-0852, P04-1005, P04-1006, and P04-1007, subject to the recommendations and conditions of staff, **WITH MODIFICATION** to delete the six units adjoining the park area, including deletion of the requirement for the community center as referenced in the exhibit and making this a turfed open space area; to modify Condition 11 to include a lighting program for the internal street; and to include an advisory condition to refer this to the Parking Traffic and Streets Committee to evaluate a no-parking zone along Polk for the purpose of controlling overflow parking as well as creating a turning lane function. The motion also includes the recommendation for adoption of a Mitigated Negative Declaration.

Commissioner Densmore asked if the Planning Department and the applicant would work on the location of the pool, possibly putting it back from the street.

Mr. Swiecki stated yes.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Desmore, Kurani, Leonard, Norton, Singletary

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Stephens

Chairman Agnew advised of the appeal procedures.

Commissioner Kurani did not return following lunch recess.

13. **PLANNING CASE P04-1011 (Continued from November 4, 2004):** Proposed Tract Map 31799 by SDH & Associates, on behalf of Grove Community Church, to subdivide approximately 17 acres into 7 single family residential lots, situated generally easterly of Bradley Street and south of Overlook Parkway adjacent to the southerly boundary of tentative Tract Map TM-29515 and traversed by the Metropolitan Water District right-of-way in the RC - Residential Conservation Zone.

Clara Miramontes, Senior Planner, presented the staff report. She noted that a letter from the Metropolitan Water District along with a letter from the Friends of Riverside's Hills was distributed to the Commission. She also distributed a set of revised conditions and noted that Condition 9 should be revised to stated, "Tract Map 31799 shall be recorded." Also, Condition 28 of the revised set of conditions should read, "Recordation of Tract Map 29515 prior to or concurrently with the recordation of this map."

John Swiecki, Principal Planner, noted that the additional variance findings the Commission just received relate to the creation of the new lots. He stated that when you exclude the open space as a separate lot it makes those lots too small per Code and these are the findings to support allowing those lots smaller in exchange for putting that into a common open space lot.

Commissioner Densmore stated that he is becoming increasingly alarmed at our approach to these "insignificant tributaries" or "minor tributaries". He asked what "insignificant" means in Planning terms.

Ms. Miramontes explained that the limits of an arroyo are determined by whether areas have a slope over 30%. When the map was designed the areas with an average natural slope over 30% resulted in a boundary. She stated that sometimes it is necessary for staff to go out to the site and examine the topography and terrain to determine whether it is in fact a tributary.

Mr. Swiecki added that staff looks at the biological work that has been done and whether or not it indicates that there is significant habitat. All of the areas discussed as tributaries do not carry water a significant amount of the year nor are they jurisdictional wetland. Also, staff determines whether or not the area creates a linkage between significant open space areas or whether there are unique physical characteristics of that particular site such as rock out croppings.

Steve Sommers of SDH & Associates, 5225 Canyon Crest Drive, referred to Condition 2A and requested that it read, "To allow J Drive **and B Street...**". Also, in regard to Condition 31, he asked that it read, "The installation of sewers and sewer laterals where practical to serve the project if adjacent tracts extend sewer backbone to the tract boundary. Should the sewer not be extended by adjacent development or individual lots not be able to gravity feed into said sewer those lots will utilize individual septic systems." He explained they hope there is sewer there, but there is no guarantee there will be sewer brought to the project; all the lots are at least one acre so it would be appropriate for them to have private septic systems if that sewer does not come in, as well as the fact there are a few lots that because they will be below J Street they will be low enough there would be no way to get that sewage up to that gravity sewer. He stated that they want to make sure they have enough lateral movement in that condition so that if it is not practical they can have private systems.

Chairman Agnew inquired as to whether we are looking at sewers ultimately being in the area.

Rob Van Zanten, Senior Engineer with the Public Works Department, stated that because of a lot of the infrastructure, this map really is not a stand alone. Tract Map 29515 is really going to provide certainly the roadway access if nothing else, but there is sewer proposed as part of that adjacent development under Tract Map 29515. He stated that Mr. Sommers does make a very valid point in that because of the undulating terrain, it is possible that sewer could be adjacent to this lot, but not able to actually serve that lot. He stated that Public Works is agreeable

to modifying Condition 31 (32) regarding installation of sewer and sewer laterals by adding a statement that, "...alternatively onsite disposal system, septic tank shall be obtained to the satisfaction of the County Department of Environmental Health". He explained that this way there is that opportunity because the lots proposed under this map are of adequate size that they can be served by septic system per our Code whether it be an interim or a permanent configuration.

Chairman Agnew asked if testing has been done to determine the soil value.

Mr. Sommers stated there has been a considerable amount done on the area, but not on the individual lots as of yet. That would be done as part of the final engineering through the grading plan and that would all be reviewed by staff. He noted that they are desirous of having a sewer there and of being able to tie into that sewer, but if it is not there and they cannot tie into it via gravity fee, the Public Works Department does not really leave them the option to pump individually into something like that.

Ms. Miramontes noted that a lot width variance is also requested for Lot 5 and is necessary to allow a lot width less than 130 feet. The variance justifications that were distributed to the Commission include findings for this variance.

Andy Bodewin, 6949 Chartwell Drive, Riverside, stated that he and his wife were the previous owners of this property for many years, but gifted it to their church just last year and the church hired Mr. Sommers to develop the land for them. The question that arose from the Friends of Riverside's Hills was that these are actually two distinct parcels, which is not really true; for taxing purposes they are, but if you have ever dealt with Metropolitan Water District when they want to put in a regional water line, they come to you with two hammers and a sledge and tell you they will buy the property from you or they will take it from you. That is what occurred here; they did not have to go through eminent domain, but the prior owners sold them that right of way so the reference that it two separate parcels and they could not be the same project is erroneous. Also, the Friends argue that this was a self-induced casualty on the part of the developer; however, the developer being the church or him would have had the same problem as MWD is there to stay. There is one line in that right-of-way now and there is going to be another one in the future. This was the most logical way to develop this tract. He also stated that the alignment of J or A Street was set out many years ago and has been incorporated into the General Plan for the area for some years and is not something that the engineer developed just to be close to MWD.

Alicen Wong, Land Use Attorney with Gresham Savage Nolen and Tilden, San Bernardino, stated that they received a letter this morning from the Friends of Riverside's Hills, dated November 18th, which they have since had several hours to go through and are prepared to provide adequate responses to each issue individually. She stated that the Friends stated that Lots 3 and A Street, which is called J Street in the northern project Tract 29515, should be eliminated. She indicated that the reason the Friends feel Lot 3 should be eliminated is because they say there is not enough acreage in that northwest area for those three parcels that Lot 3 has to go. She stated that they have prepared variance findings for Lot 3 based on the fact that the right-of-way is an exceptional circumstance that bisects this property in an unusual manner. If the City supports the variance findings, then there is no density issue. The second issue is the extension of A Street; the Friends would like to see A Street not extend to the west and stop as a cul-de-sac; however, as Mr. Bodewin pointed out, A Street was studied in the Alessandro Circulation Plan that was incorporated into the circulation element of the General Plan and also in 2001 when the City approved Tract Map 29515 they established the alignment for A Street in that location. She explained that they cannot arbitrarily stop it now and create a cul-de-sac because it is part of the circulation element. She stated that the Friends say the grading on Lot 2 is excessive and that it will impact a ridgeline; however, this is a low area and there is no ridgeline on Lot 2. The Friends also say they would like them to preserve a 50-foot-wide rock-out cropping on the east side of the pad on Lot 5. She stated that the City has conditioned them (Condition 17b) to preserve all rock-out croppings as possible, which is what they intend to do. In regard to fire clearance, the Friends say that if you put a house in a tributary that because you have to clear 30 feet around the house for fire clearance, there will be impacts

into the tributary that have not previously been studied. She explained that this is not an issue because for this map it is actually Lot 5 in question and the building pad will be in the headwater (the top part of the tributary); however, it is the toe of the slope that will actually extend into the tributary and no one will have to grade for fire clearance in the toe of the slope. The Friends would like to know what the final quantities of the cut-and-fill are; however, they have not identified exactly what those final quantities are. She can say that it will be a balance graded site and there will not be any export; therefore, this is not an issue. In regard to biological issues, the Multi-Species Habitat Conservation Plan (MSHCP) is now in effect; this project will pay fees and the fees paid toward the MSHCP will mitigate any potential biological impacts. She stated there is an interesting question, if Tract Map 31799 were to go before Tract Map 29515, whether or not additional environmental review would be required because special water lines would be required to be installed through Map 29515. She stated that is not really an issue; there is a condition of approval that has already been imposed by the City that says this tract will not precede Tract 29515. She stated there is a question about whether approving projects when the trails are not identified on the plan may result in there not being a trail later; however, the trail in this case is already identified on the Master Plan and there is a condition of approval that requires the project to comply to cooperate with the Parks and Recreation Department to identify the alignment of the trail. They feel based on the condition and compliance with the condition the alignment of the trail will be chosen and identified on the final map. Lastly, the Friends would like to see the City condition this project to require all small portions of open space that are outside the building pad areas to be put into an open space easement; however, the City has not required that condition of approval on this project. That is a typical condition of approval for RC Zoned projects; however, in this case, the fact that the City has not imposed that condition and the fact that the open space areas in question on the outside of the building pads are very small, they are unconnected, and do not create any wildlife corridors as they are already segmented. Additionally, this project is dedicating 7.26 acres of open space within an open space lot, which leads them to believe that this condition is not really appropriate or necessary.

The public hearing was officially closed.

MOTION MADE by Commissioner Norton, **SECONDED** by Commissioner , **TO DETERMINE** that P04-1011 would not have a significant affect on the environment and **TO RECOMMEND** that the City Council adopt a Mitigated Negative Declaration, **AND TO APPROVE** P04-1011, subject to the recommendations and conditions of staff, **WITH MODIFICATION** to Conditions 2a, 9 and 28 as follows:

2. The Commission makes the necessary findings in the applicant's favor to grant the following grading exceptions: (a) to allow J Drive **and B Street**, lots 1, 3, and 5 through 7 to encroach into the Prenda arroyo limits and development setback; and
9. TM 32205 **31799** shall be recorded.
28. Recordation of TM ~~31799~~ **29515** prior to or concurrently with recordation of this map.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Leonard, Norton, Singletary

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani, Stephens

Chairman Agnew advised of the appeal procedures.

- 14a. **PLANNING CASE P04-0984 (Continued from November 4, 2004):** Proposed Tract Map 32270 by Adkan Engineers on behalf of Hawarden Development Corp., to subdivide approximately 35.2 vacant acres into 19 lots for residential and open space purposes, situated on the northeasterly side of Via Vista Drive, southeasterly of Overlook Parkway (extended) in the RC-Residential Conservation Zone. *(This case is being heard concurrently with Planning Case P04-1144)*
- 14b. **PLANNING CASE P04-1144 (Continued from November 4, 2004):** Proposed planned residential development by Adkan Engineers on behalf of Hawarden Development Corporation to establish an approximately 18 lot planned residential development together with private streets and common open space on approximately 35 acres, situated on the northeasterly side of Via Vista Drive, southeasterly of Overlook Parkway (extended) in the RC-Residential Conservation Zone. *(This case is being heard concurrently with Planning Case P04-0984)*

Andy Bodewin, the applicant, asked the Commission for a continuance to December 9, 2004.

MOTION MADE by Commissioner Norton, **SECONDED** by Commissioner Leonard, **TO CONTINUE** the above cases to December 9, 2004 per the applicant's request.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

15. **PLANNING CASE P04-1213 and P04-1068:** Proposed Parcel Map 33061 by Development Resource Consultants on behalf of KOAR I. A. LLC., to subdivide approximately 5 acres containing 4 parcels into 5 parcels for condominium purposes and design review of the plot plan and building elevations to develop the site with 5 office /industrial buildings, situated on the easterly side of Rivercrest Drive, northerly of Fisher Road in the MP- Manufacturing Park Zone. (*The applicant requests continuance to December 9, 2004 and staff concurs.*)

MOTION MADE by Commissioner Densmore, **SECONDED** by Commissioner Norton, **TO CONTINUE** the above case to December 9, 2004 per the applicant's request.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

16. **PLANNING CASES P04-1171 and P04-1169:** Proposed Parcel Map 32847 for condominium purposes by Westland Civil Inc. on behalf of Silagi Development and Management on 10.56 acres and design review of the plot plan and building elevations develop the site with 9 one and two-story office industrial buildings, situated on the westerly side of Chicago Avenue, northerly of Spruce Street in the MP- SP - Manufacturing Park and Specific Plan (Hunter Business Park) Combining Zones.

Commissioner Comer was disqualified from participating in this hearing due to a potential financial conflict of interest.

Don Dinkel, Associate Planner, presented the staff report. He noted that Condition 3 (Page 10) should be deleted due to the fact that the applicant has already submitted for the lot line adjustment.

Mr. Silagi, the applicant, addressed the Commission. He spoke briefly about the project.

Chairman Agnew asked Mr. Silagi to address any conditions he might have issues with.

Mr. Silagi explained that he is asking that the light fixtures be at least 20 feet in lieu of 14 feet.

John Swiecki, Principal Planner, noted that the applicant is referring to Condition 6a on Page 8. He also noted that staff would concur with this request.

Mr. Silagi referred to Condition 6 (Page 8) and asked that the minimum light be six to one (6:1) instead of four to one (4:1).

Mr. Swiecki explained that the four to one (4:1) is a standard condition of approval.

Commissioner Norton asked if any neighborhoods will be impacted by additional lighting.

Commissioner Stephens arrived at this time.

Mr. Swiecki stated it speaks to a minimum, so six to one (6:1) would be acceptable since it is consistent with the condition.

The public hearing was officially closed.

MOTION MADE by Commissioner Singletary, **SECONDED** by Commissioner Norton, **TO APPROVE** P04-1169 and P04-1171, subject to the recommendations and conditions of staff, **WITH MODIFICATION** to delete Condition 3 of P04-1171 and amend Condition 6a by striking the sentence, "Light poles shall not exceed 14-feet in height, including the height of any concrete or other base material." The motion also includes the recommendation for adoption of a Mitigated Negative Declaration.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Densmore, Leonard, Norton, Singletary, Stephens

NOES: None.

DISQUALIFIED: Comer

ABSTAINED: None.

ABSENT: Kurani

Chairman Agnew advised of the appeal procedure.

17. **PLANNING CASE P04-1238 (Annexation 101- Mariposa Avenue):** Consideration of an annexation report and plan for providing services and to establish appropriate pre-zoning and General Plan land use designations to be placed on approximately 220 vacant acres generally bounded by Gamble Avenue to the west, Krameria Avenue to the north, Mariposa Avenue to the south and Obsidian Drive to the east. *(The applicant requests continuance to December 9, 2004 and staff concurs.)*

MOTION MADE by Commissioner Densmore, **SECONDED** by Commissioner Kurani **TO CONTINUE** P04-1238 to the meeting of December 9, 2004.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

18. **PLANNING CASE P04 -1348:** Proposed Conditional Use Permit by the City of Riverside Library Department to establish a library facility, including a cybrary, within an approximately 10, 600-square-foot lease space at an existing commercial center located at 4033 Chicago Avenue, Suite C, in the C-2-SP – Restricted Commercial Specific Plan (University Avenue) Combining Zone.

Robert Laag, Assistant Planner, presented the staff report.

Commissioner Leonard referred to grading that is occurring at an adjacent site and inquired as to whether or not staff knows what is to be built there.

Mr. Swiecki stated it is a commercial building but he does not know the specific use.

Commissioner Densmore commented that it would be important to know the nature of the adjacent use in terms of neighborhood compatibility.

The public hearing was officially closed.

MOTION MADE by Commissioner Stephens, **SECONDED** by Commissioner Densmore, **TO APPROVE** P04-1348, subject to the recommendations and conditions of staff, including the recommendation for adoption of a Negative Declaration.

MOTION CARRIED unanimously.

AYES: Agnew, Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: None.

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

Chairman Agnew advised of the appeal procedure.

- 19a. **PLANNING CASE P04-0853** *(Continued from October 21, 2004)*: Proposal by Riverside Housing Development Corporation to amend the Municipal Code (Title 19) by rezoning four parcels developed with an abandoned retail building and detached accessory building totaling approximately 1 acre and at 7788 - 7840 Cypress Avenue, situated on the southerly side of Cypress Avenue between Warren and Montgomery Streets, from the C-2 - Restricted Commercial Zone to the R-3 - Multiple Family Residential Zone. *(To be heard in conjunction with Planning Cases P04-0664 and P04-0655)*
- 19b. **PLANNING CASES P04-0664 AND P04-0655** *(Continued from October 21, 2004)*: Proposed Conditional Use Permit and Design Review by Riverside Housing Development Corporation to establish a 106-unit, low and low-moderate income apartment complex with 160 parking spaces, a child care facility, a blind support services facility, and common open space on approximately 3.87 acres developed with an abandoned retail building and detached accessory building, located at 7788 - 7840 Cypress Avenue, situated on the southerly side of Cypress Avenue between Warren and Montgomery Streets and intersecting Janet Avenue, in the R-3 - Multiple Family Residential and C-2 - Restricted Commercial Zones. *(To be heard in conjunction with Planning Case P04-0853).*

Jennifer Walker, Assistant Planner, presented the staff report.

Commissioner Brown commented that most of the Commissioners did not support the architecture at the last meeting. He asked staff to clarify that they have reviewed this and are still not recommending any significant changes.

John Swiecki, Principal Planner, stated staff did not recommend significant changes.

Chariman Agnew commented that he was one of the members of the ad hoc committee, along with Commissioners Kurani and Leonard. He noted that this committee, very specifically, asked the architect and the developer to come back ready to address specific issues such as where the park is and to talk about the management plan, including how the parking would work. He commented that he is asking the architect and developer today to only discuss the specific areas of conflict and then to discuss in more detail the architecture of the building.

Commissioner Densmore explained that he expected that a representative from the subcommittee would approach and negotiate with the applicant and department and then come back with a statement on how close or not they are in discussing the previously discussed issues.

Commissioner Leonard stated the parking is 15% deficient, which is not unusual for a mixed use type development; however, there was some issue in terms of the allocation of the parking. They discussed this at the ad hoc meeting and found that the crux of making this work is through a management plan, which the applicant has committed to. They feel the parking is addressed. Regarding the open space area, he explained that one of the provisions that makes this project have only 33% of the Code requirement is that three bedroom units require 1,500 square feet of open space, but the units themselves are only 1,200 square feet. The ad hoc committee discussed having the overlays done to give them a perspective of what is comparable in terms of the open space and the applicant has done that. He stated that from his perspective, they did not come to terms on the architecture, but the applicant is going to provide more detail about this.

Gwynne Pugh, of Pugh+Scarpo Architects, presented a PowerPoint presentation. He indicated the adjustments they made in regard to parking and setbacks. He also presented the architectural element of the project.

Commissioner Leonard, referring to the material sample boards, asked Mr. Pugh if he has used a trex deck as a trellis in other facilities before.

Mr. Pugh stated yes.

Commissioner Leonard asked Mr. Pugh if he is satisfied with the weight loads that would require.

Mr. Pugh stated yes.

Commissioner Leonard asked what is the stabilization used underneath the trex to hold it up as a trellis.

Mr. Pugh stated when he has done decks he usually has it being supported at 16 inches or 24 inches on center. He has not supported it by a full sheathing underneath and has not found that to be necessary.

Commissioner Leonard referred to the sheath on the exterior of the parking garage and asked what is the capability of graffiti removal and holding up under weather conditions.

Mr. Pugh explained it is much more stable as siding than either wood or masonite that is sometimes used as siding.

Commissioner Leonard asked Mr. Pugh to detail any changes made to the architectural plan since their last meeting before the Commission in October.

Mr. Pugh stated they have only changed the color of the stucco. He explained that they felt they did not do as good a job describing the project at the last meeting and the basic design philosophy that derived this particular aesthetic. He commented that he was hoping to convey this better to the Commission this time. He explained that he did not believe they needed to change the architecture due to conflicted messages they received from the Commission at the last meeting.

Commissioner Brown expressed his concern that the architecture is inappropriate for this neighborhood and for the City of Riverside as a whole. He commented that he will not be supporting this proposal.

Commissioner Comer stated that he does not want to see this project die, but he is going to move for continuance for another month to allow the applicant to come back with architecture more fitting to the neighborhood.

Commissioner Kurani seconded.

Commissioner Stephens commented that he would like to hear from the people in the audience before a vote.

Commissioner Densmore agreed. He stated he is not sure that 30 days is sufficient time to present a totally different project.

Commissioner Norton asked if this project is time sensitive.

Mr. Pugh stated the project will become a very difficult project to do because it is dependent on tax credits.

Bruce Kulpa, Executive Director of the Riverside Housing Development Corporation, indicated that he has received letters of support from all but one of the adjoining property owners. These adjoining owners have seen the renderings and support the architecture. He referred to Condition 58 of the CUP, noting that they are asking that the trash container be fire sprinklered. In regard to Condition 2A of the CUP and 7A of the Design Review case, he stated that the site plan currently shows a 7 ½ foot side yard setback, which is in compliance with the normal. He explained that the recent change of the surrounding properties to R-1 is what is requiring the variance on the setback.

since the Code now requires a 50-foot setback. He stated given the constraints of this property with all the easements and that change in zone, the variance is requested.

Commissioner Densmore asked Mr. Kulpa what he thought when he first saw the architectural renderings.

Mr. Kulpa stated it is a more modern contemporary look than he, personally, is used to seeing; however, he is not an architect and he has grown to appreciate it over time.

Laurie Horn of the John Stewart Company, Los Angeles, stated that she has seen projects with beautiful architectural impacts, but none with the insight that this development has put together in designing the property. She urged the Commission to think outside the box and recognize the fact that the solar panels, non-bearing walls, interior corridors, and the wide open space for security purposes are a tribute to this property.

Tom Brooks, a resident of Riverside and the Housing Development Director for Riverside Housing Development Corporation, stated that he has spent a lot of time in this area and in various other areas in the City. He stated there is an extreme eclectic difference in the architecture throughout the City of Riverside in various different forms, shapes, colors and sizes. As far as this particular area, he has spent the past six months visiting with the people and he has presented the renderings and elevations to every person he spoke with. Every single person really liked the architecture and made a strong comment toward it.

Rose Mays expressed her concern that affordable housing is desperately needed in the City of Riverside and she urged the Commission to approve the case.

Commissioner Stephens noted that every one of the Commissioners support the concept of affordable housing; however, he does not feel the Commission should be forced to approve a project with substandard architecture.

Ms. Mays stated she does not believe the Commission is concerned with the aesthetics as much as they are the three stories.

Commissioner Densmore stated he is concerned that we are making this something that it is not. He stated that every single Commissioner has noted support for the project/program. The Commission had asked the applicant to please take the architecture and make it look like something other than a project that is going to be a blighted project in about 10-15 years.

Johnny Dones of the Fair Housing Council of Riverside County expressed the need for affordable housing in the City of Riverside and her support for this project. She commented that she feels the project is very nice and that the City should move ahead.

Peter Benivedez, 507 Alta Mesa Drive, stated that he is the CEO of a private non profit corporation entitled, "Blindness Support Services". He stated that in 1994-1995 during their strategic plan they partnered with some private developers to rehab a 120-unit apartment complex at 8505 Arlington Avenue called Canyon Shadows. At the time that place was very unsightly and there was opposition to the project. There was doubt that their organization could provide services in an affordable housing environment that would work and be safely maintained. He stated that it has been and today the entire operation is 99.5% occupied and they have maintained this ratio throughout the past eight years. He explained that because of the demand for low income housing, they are always faced with the unfortunate circumstance to deny applicants who qualify. He expressed his support for this project, noting that he does not understand why the architectural aspect makes a difference.

Francis Baum, 2537 Chauncey Place, Riverside, stated he is a partner at Best Best & Krieger and the chairman of the board of the Riverside Housing Development Corporation (RHDC). He noted that this is one of the biggest projects that RHDC has ever undertaken. He feels the architecture of this project is just fine and that the project must move on. He explained that this project cannot carry itself economically as a market rate project would with a private developer and they need the assistance of tax credits and the money the City is going to put into this project to make it happen. He commented that they will have excellent management on this project and it will be a great success.

Ray Higgins, 8797 Barton Street, stated he is currently the treasurer of the Bryant Park Advisory Association and has been for the last 15 years. He expressed his support for housing in the area, but his opposition for apartments. He explained that the schools are already full and that the apartments would bring approximately 300 more children to the area. The Police Department also indicated that they would need extra people should this project be developed.

Willie Narin, 9051 Cypress, stated that at their meeting held on Monday, the developers stated that the people that are going to live there are going to have to be credit worthy people. He commented that he does not know one homeless person, or any one person who has been evicted, who is going to benefit from this complex. He also commented that his step son was put on tract at Arlanza School; within three months he was switched from one tract to another. He has been on three different tracts since. He stated that last week he received a call from the school board, informing him that his stepson was ditching school for two weeks. They were unaware their son had been switched again because there was no room.

Ed Alvarez, 6130 Camino Real, Riverside, stated he is here, on behalf of many of the residents, to speak in opposition to the project and has brought with him two sets of petitions to support their views. One, dated May 5th, was taken immediately after they found out the City Council has appropriated the money for the developer to buy the property. The second petition was distributed Monday night at a community meeting, which the residents had to organize on their own, contrary to what the developer was asked to do at the last meeting by the Commission. They were not allowed to attend the meeting between the developer and the ad hoc committee. He stated that the report notes the soil report for the area is prone to flooding and liquification and that the Airport Land Use Commission has not even reviewed this project. He also stated that the traffic and parking problems have not been worked out with the proper departments because these departments cannot do anything until a problem exists. He stated he is the Vice President of the Board of Directors of the Alvord Educational Foundation and works closely with the school district. He noted the schools are not on four tracts and anymore influx would be out of control.

Chairman Agnew informed Mr. Alvarez that he has run out of time.

Mr. Alvarez commented that he has much more to say.

Commissioner Densmore asked where the signatures were taken.

Mr. Alvarez explained that the petition taken on May 5th was at a celebration at Bryant Park so some of the addresses might be out of the immediate area. The second petition was passed out to community members at their Monday meeting and personally delivered back to him this morning.

Thelma Magana, 5736 Warren Street, stated she has lived in this area since 1989. She noted that they have a drug problem in this neighborhood and every night the police helicopter flies between the apartments on Montgomery and the ones behind her. She spoke in opposition to the project, noting that more apartments in the area will only create more problems.

Tina Trujillo, 5872 Montgomery, stated she is only three backyards from where the project is going to be built. She spoke in opposition to the project. She explained that they as homeowners work very hard to keep the crime and dumping out of their area and have put a lot of money into their homes. She noted that she has a letter in opposition from Anita Martinez, a council member of the Park. She also noted that this morning there were 15 mothers present who live in the area; however, they could not stay through the afternoon.

Steve Wilson, 6130 Camino Real, stated he is involved with coaching at Bryant Park. He expressed his opposition to this project, noting that the Building Code does not allow for the reduction of the rights for low income residents. He feels the City should honor their pledge to protect all of the residents no matter how large their bank account.

Commissioner Densmore commented that what started out as a design review issue has digressed into some other areas. He stated that he believes the Commission needs to act and get this where it is ultimately going to be decided in any case, before the Council. He moved to close the public hearing.

Commissioner Leonard seconded.

Commissioner Brown expressed that he is highly in favor of this project and believes this type of thing is needed in this community, but he does not believe the architecture as it exists is conducive to the neighborhood nor to the theme that we are trying to produce in this City; however, it would not be so bad if the colors were toned down.

Mr. Kulpa stated that he thinks the tenor of the neighborhood complaints are of a more global issue; the schools, traffic, etc. He commented that these are problems throughout our community. He stated that this project, if anything, has helped to focus so much needed attention on those important issues within the neighborhood. He is aware that Councilwoman Hart is very much interested in this neighborhood and she has stated that the Alvord School District is in the works on developing three new elementary schools. He noted again that they have received support from 5 out of the 6 adjoining residents for both the architecture and the project itself.

Mr. Pugh stated that they have done 25,000 + units over the last 30 years and they know how to make housing that works.

The developer indicated that they are willing to tone down the colors.

The public hearing was officially closed at this time.

Commissioner Stephens explained that his concerns were not just relate to the architecture. The issues he brought up last time included parking and the parking has been re-examined. He noted that four parking spaces for guests does seem to be quite minimal. He also referred to Exhibit B, explaining that his concern was also the view of the people from the homes. He commented that he is not opposed to the architecture.

Commissioner Densmore stated that he does not want to go on record as voting against the need for low income housing in this area, but parliamentary procedure demands that he does so. He stated that this project needs to go to the Council as far as he is concerned.

MOTION MADE by Commissioner Densmore, **SECONDED** by Commissioner Leonard, **TO DENY** P04-0853.

MOTION PASSED by a vote of 7 ayes to 1 no.

AYES: Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: Agnew

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

MOTION MADE by Commissioner Densmore, **SECONDED** by Commissioner Leonard, **TO DENY** P04-0664.

MOTION PASSED by a vote of 7 ayes to 1 no.

AYES: Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: Agnew

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

MOTION MADE by Commissioner Densmore, **SECONDED** by Commissioner Leonard, **TO DENY** P04-0655.

MOTION PASSED by a vote of 7 ayes to 1 no.

AYES: Brown, Comer, Densmore, Leonard, Norton, Singletary, Stephens

NOES: Agnew

DISQUALIFIED: None.

ABSTAINED: None.

ABSENT: Kurani

Chairman Agnew advised of the appeal procedure.

- 20. Planning Commission Workshop regarding Planning Cases P04-1195 & P04-1196 - California Energy Resource Center - Public Utilities Department review of a proposed 96 Megawatt simple cycle power plant on approximately 12 acres of vacant land at 5959 Acorn Avenue.**

This Workshop was held during the Commission's lunch recess. A presentation was made by Steve Badgett, Public Utilities Assistant Director.

MISCELLANEOUS PLANNING AND ZONING ITEMS

There was no discussion.

DISCUSSION OF FUTURE AGENDA ITEMS

- 21. Report from the City Planning Commission representative to the City Land Use Committee.**

There was no report.

- 22. Recent City Council actions of interest to the City Planning Commission.**

John Swiecki, Principal Planner, gave a brief update.

- 23. Briefing on upcoming agenda items.**

There was no discussion.

MINUTES

The minutes of September 9, 2004 were approved as presented.

WORKSHOP - 6:00 p.m.

24. GENERAL PLAN 2025 PROGRAM - WORKSHOP #4: This workshop will focus on review of the City's Design Guidelines and the Subdivision Code (Title 18).

Commissioner Singletary chaired this workshop.

Laura Stetson, Associate Vice President of Cotton/Bridges/Associates, noted that the two things that will be addressed tonight are the Subdivision Code Update and the Citywide Design Guidelines, which do include the Sign Guidelines as an appendix. She informed the Commission that John Cook, also from CBA, would be discussing the subdivision regulations and she would finish up with Citywide Design Guidelines. She noted that this is the last workshop they have scheduled for the year to go over these documents.

John Cook of Cotton/Bridges/Associates presented highlights of the Subdivision Code update via PowerPoint presentation.

Commissioner Leonard referred to Page 3-20, a provision for tentative environmental subdivision maps. He inquired as to what an example of such a thing might be.

Mr. Cook explained that State Law at one point allowed cities to create environmental subdivisions for mostly biological purposes and he thinks was related to mitigation banking. He was under the impression the law was not going to be included here, so he would have to look into it and get back to the Commission with more information.

Commissioner Leonard stated there is also a procedure that he thinks is an omission by design—that is the fact there is no mechanism for a financing map. Many jurisdictions have a financing map where there are no public improvements required and particularly since we are moving in a direction toward mixed use developments we have parcels that are configured in such a way that do not support the development being proposed. A provision of that is that they cannot build these maps, it is just a matter of creating a financing mechanism. He commented that is something he would like to see staff take a look at to see if it can be incorporated.

Ms. Stetson gave a brief presentation on the Citywide Design Guidelines via PowerPoint presentation.

Commissioner Comer stated that he would like to make a suggestion regarding the industrial or the commercial mixed use. He commented that we do have the tech park we are working on, so maybe we need to have industrial/flex space or something similar.

Ms. Stetson stated that is a good suggestion.

Ms. Stetson continued to go through a bullet point list of the types of things addressed for each of the categories of development via PowerPoint presentation.

Commissioner Norton referred to a slide that displayed a commercial example and asked Ms. Stetson if they are considering stand-alone office-type buildings or including retail strip centers as being more to the street with parking behind.

Ms. Stetson stated yes; the Guidelines cover everything from a stand-alone donut shop to an office building to a multi-use retail center. She commented that good design is good design and it applies to all commercial development.

Commissioner Densmore stated he supposes it is of no consequence to go through the trouble of doing all this for design guidelines unless there is an equal attention paid to enforcement of whatever the guidelines are in the future, especially with signage. He asked Ms. Stetson if she is getting to the point of what has been discussed at this Commission level quite often lately, which is architectural themes. Will there be themes imposed on areas through these Guidelines or is that a totally separate process?

Ms. Stetson explained that would be a separate process.

Commissioner Leonard stated he does not know if it is the Design Guidelines to best handle this or not, but, it seems as though we need some kind of guidance on reverse frontage lots and providing indications of what is appropriate or inappropriate. He commented that, certainly, reverse frontage on major streets for six to eight lane boulevards are quite appropriate; however, we have instances, particularly along edges of the City where we have different jurisdictional priorities where there is a debate over reverse frontage. He thinks providing that in some kind of codified way would be helpful towards defining those as we review plans in the process. He commented that this is reflected in Page 3-2. He referred to Page 3-13, entry treatments, inquiring as to whether they should be required based on the size or magnitude of a project. He thinks it might provide a strategy for creating an identification for a center. He stated that developers always want to provide signage that indicates every soul that occupies space in a commercial center. A well-designed entry monument might provide a definition for the center and also a means for people using that monument sign, rather than trying to identify each type of use that is within it.

Ms. Stetson stated that is a good suggestion and something they have not done, but could look at. She stated the City's Sign Code does fairly strictly limit the articles of information that one can put on a sign, so she does not think the Commission will be seeing signs anymore that list every single use that exists in a center.

Commissioner Leonard referred to Page 3-14, walls and fences, noting there is a list of encouraged items and suggested that there could maybe be a list identifying prohibited items such as exposed precision block walls. He referred to screening, stating that one of the regular discussions in the past has been about creating a standard for porches. He commented that there have been covered stoops that have been coming before that are not really usable. The Commission is trying to encourage usable spaces that people can enjoy. Six feet has been the standard, but he is hopeful we will see that expanded somewhat. He stated that developer will hesitate to do that because it is an added cost and they still have a setback criteria. He commented maybe an unenclosed porch should not be counted against open space; in other words, maybe that is a trade off. He referred to Page 3-18, common driveways serving multiple family uses, stating that there may be instances where that is the only alternative available in a design and how that is oriented. Maybe there is an opportunity as required on some projects, to mitigate that by some kind of trellis work or landscaped entry to soften the appearance and still allow that to occur as an option. He stated that certainly the way it is set up in the Guidelines to discourage it is appropriate, but sometimes we have to deal with other options. He referred to Page 3-26, common open space for play/recreation/social activities, and wondered if this can be related to provisions in the Zoning Code proposed that provide a menu of uses based on the number of dwelling units. He commented if you have 100 dwelling units there is a certain level of open space required, etc. He referred to parking, noting two examples: University Village with a sea of parking in the middle and all the parking conflicts that come with it, and Canyon Crest Town Center, where parking is well-managed. He wonders if this is the time to move in this direction because the proposals we see day in and day out is to go the cheap, quick, and easy way, creating a sea of parking with the buildings on the edge. He believes we can do better than that in terms of the kinds of designs we are trying to encourage.

Commissioner Densmore asked Commissioner Leonard if he is referring to the types of amenities when talking about common open space.

Commissioner Leonard stated yes.

Commissioner Norton commented it was previously discussed that a bonus could be given if a Riverside-approved logo is used.

Ms. Stetson stated it was not discussed in the context of the Sign Guidelines, but is not aware if it came up in the Sign Code discussions.

Commissioner Norton referred to open space and asked if there is a section anywhere where additional open space for senior housing is targeted.

Commissioner Leonard stated that Commissioner Brown wished to express that, especially for commercial centers, we need to see more focal points in the form of fountains or water features and public art.

Ms. Stetson stated that sounds like some kind of public open space that would incorporate a fountain or public art or something that would be inviting.

The discussion then turned to the scheduling of upcoming meetings for discussion of the Zoning Code. The Commission decided to schedule upcoming workshops to be held during their lunch recesses, beginning with their next meeting, to further discuss details of the Zoning Code, General Plan, and Design Guidelines.

Ms. Stetson commented that this would not include the Magnolia Avenue Specific Plan for the public hearing process, even though the EIR does not cover it.

Commissioner Comer commented that he submitted some comments on the Zoning Code to Diane Jenkins and he feels before the Commission gets the Zoning Code back there might need to be some additional dialogue.

Craig Aaron, Principal Planner, stated at this point they are not going to be making changes to the actual document before it comes out in February. There will be a staff report. He understands that there will be disagreements with some of the items in there, which is part of the process of reviewing it. As far as the actual document itself, it will not be changed unless there is typographical errors. The EIR analyzes the documents as they are published, and we cannot change them. There will be an extensive staff report that will go through numerous items on all of the different documents and any comments will be specifically addressed and it will be up to the Commission as a whole to decide to recommend any changes.

Commissioner Comer stated he thinks staff made a mistake in that warehousing over 10,000 square feet requires a conditional use permit. He suggested that staff means 100,000.

Mr. Aaron stated that Commissioner Comer is correct. There is an error there, which is one of the things staff was talking about. Staff will be recommending a change to that. He recommended that the Commission not get into discussion of the Zoning Code tonight since it is not on tonight's agenda.

Commissioner Leonard referred to the Design Guidelines, noting that one of the discussions the Commission had today was regarding a project in an area that they did not feel had any context to it; it was a matter of opinion. There were no provisions under the criteria to do anything they could rely on in terms of the criteria set forth by the General Plan of these Design Guidelines. He asked if there is an opportunity to look at segments of the City, or do they already exist where the community of Arlington has one set of standards, the Downtown area has another set, etc. This addresses the City as a whole. Are we going to get into, eventually, more defined community themes throughout the City.

Mr. Aaron stated not as part of this process; that is not built in and there is no time or money. He stated if that is the Commission's desire it could be made as a recommendation to the Council and quite possibly it could be explored. He explained that, as mentioned by Ms. Stetson, there are no themes being proposed; however, if you read the guidelines it does talk about context, which is the same thing in staff's minds. It emphasizes design that is consistent in context with its surroundings. The City is not proposing a theme, but it recommending that new design be contextually in place with what is already there.

Commissioner Leonard commented that maybe it is best addressed as the need arises, rather than to presuppose that everything has to have a particular image.

Mr. Aaron stated it just depends on where the Commission wants to draw the line. He thinks in the Downtown it is important to have very detailed Design Guidelines; some areas of the City it is less important. He commented that it is important that new development be in context with what is already there.

Mary Humboldt, 7407 Dufferin Avenue, Riverside, stated that last week she spoke with one of the planners about a lighting ordinance for the City. She commented that what she sees happening is the lights are becoming too bright; people are putting stadium lights in their backyards. New people are moving to town who have lived elsewhere and they are putting great big flood lights all around their houses and they leave them on all night. She understands this can be taken care of by Code Enforcement, but it is very difficult to call up and speak against your neighbor. She stated that some cities have been forced to have lighting ordinances where the bright lights are not allowed. She believes this makes for a nice city and she suggested the City of Riverside come up with some kind of wattage maximum for lighting in the City. She also mentioned that the noise that the trains are causing these days is just outrageous. She urged the Commission to help the residents protect themselves from the noise.

Eileen Takata, a new resident in Riverside, stated she is a water shed planner for the County of Orange. She spoke to water shed designs that could possibly be folded into the City's Ordinances.

ADJOURNMENT

The Commission adjourned at 7:15 p.m. to the meeting of December 9, 2004 meeting at 9:00 am.